

August 11, 2022

VIA E-MAIL

Freedom of Information Act Officer
U.S. Environmental Protection Agency
Ariel Rios Building, MC 1105A
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Re: Request for Records

Dear Freedom of Information Act Officer:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, as amended, and the FOIA regulations promulgated by the U.S. Environmental Protection Agency in 40 C.F.R. Part 2, I hereby request a copy of the following records related to EPA's June 23, 2022 Proposed Revisions to the Atrazine Registration Review Decision and supporting analyses:

1. Analytical support for the 3.4 µg/L CE-LOC that EPA proposed in 2016 and 2022:
 - Specific inputs and scenarios and executable versions of the models run to conduct the uncertainty analysis and produce the range of outcomes reported in support of the 3.4 µg/L CE-LOC EPA proposed in 2016.¹
 - All records that provide any additional analytical support for the 3.4 µg/L CE-LOC proposed in 2016, and all records necessary to evaluate and replicate any such analytical assessments and outcomes.
 - All records related to any additional analytical support conducted after 2016 to support the 3.4 µg/L CE-LOC EPA proposed in the 2022 Proposed Revisions,² and all records necessary to evaluate and replicate any such analytical assessments and outcomes.

¹ Refined Ecological Risk Assessment for Atrazine (April 12, 2016) at 211 & Table 62 (providing range, percentile, and median results of uncertainty analysis conducted in support of 3.4 µg/L CE-LOC), available at <https://www.regulations.gov/document/EPA-HQ-OPP-2013-0266-0315>.

² Proposed Revisions to the Atrazine interim Registration Review Decision (June 23, 2022) at 6, available at <https://www.regulations.gov/document/EPA-HQ-OPP-2013-0266-1625>.

2. Analytical support for the alternate 20.8 µg/L CE-LOC that EPA described in the 2016 risk assessment:
 - Specific inputs and scenarios and executable versions of the models run to conduct the alternate uncertainty analysis and produce the range of outcomes reported in support of the 20.8 µg/L CE-LOC EPA described in 2016.³
 - All records that provide any additional analytical support for the 20.8 µg/L alternate CE-LOC described in 2016, and all records necessary to evaluate and replicate any such analytical assessments and outcomes.
3. Analytical support for 15 µg/L CE-LOC that EPA adopted in 2019 and confirmed in 2020:
 - Specific inputs and scenarios and executable versions of the models run to conduct the uncertainty analysis and produce the range of outcomes reported in support of the 15 µg/L CE-LOC EPA adopted in 2019 and confirmed in 2020.⁴
 - All records that provide any additional analytical support for the 15 µg/L alternate CE-LOC EPA adopted in 2019 and confirmed in 2020, and all records necessary to evaluate and replicate any such analytical assessments and outcomes.
4. Definitions and assumptions used by EPA in evaluating proposed mitigation options:

EPA reports that it has assessed and modeled the feasibility and efficacy of mitigation practices to address atrazine runoff and has identified a picklist of options “that were determined to be effective options.”⁵ EPA acknowledges that “the findings from PWC modeling and the literature review suggest that the efficacy of mitigation measures will depend on environmental factors and the specific implementation of the mitigation measure.”⁶ For the practices identified on EPA’s proposed mitigation picklist (listed below), please provide all records related to and identifying the definitions, assumptions, and specifics of implementation EPA used to assess and model the feasibility and efficacy of the mitigation practices.

 - no preemergence applications to the crop
 - vegetative filter strips
 - cover crops

³ Refined Ecological Risk Assessment (2016) at 211-212 (providing range and median results of alternative uncertainty analysis described as supporting a CE-LOC of 20.8 µg/L).

⁴ Regulatory Update on the Registration Review of Atrazine (October 22, 2019) at 3-4 & Table 1 (providing range, percentile, and median results of “quantitative analysis” conducted in support of CE-LOC re-evaluation), available at <https://www.regulations.gov/document/EPA-HQ-OPP-2013-0266-1260>; Atrazine Interim Registration Review Decision (September 18, 2020) at 9-10, available at <https://www.regulations.gov/document/EPA-HQ-OPP-2013-0266-1605> (describing 2019 uncertainty analysis and confirming decision to use 15 µg/L CE-LOC).

⁵ Proposed Revisions (2022) at 7-8; EFED Support Documentation for the Proposed Revisions to the Atrazine Interim Registration Review Decision Regarding Risks to Aquatic Plant Communities (June 23, 2022) at 2, 9, Appendix C Table C.1, available at <https://www.regulations.gov/document/EPA-HQ-OPP-2013-0266-1623>.

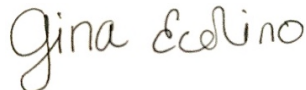
⁶ Proposed Revisions (2022)) at 8.

- contour buffer strips
- terrace farming
- field borders
- grassed waterways
- irrigation water management
- contour farming
- strip cropping
- soil incorporation to a depth of 2.5 cm (1 in)
- no tillage or reduced tillage

These records are requested on behalf of Syngenta Crop Protection, LLC, who is evaluating and preparing substantive comments in response to EPA's Proposed Revisions to the Atrazine Interim Decision. After EPA granted a short additional extension, such comments are now due on October 7, 2022. Thus, we request that EPA provide expedited processing of this request and produce responsive materials as soon as they are located.

Please email the response to me at gecolino@bdlaw.com or if that is not practical for you, please contact me at (415) 262-4031 when the response is ready so I can make alternate arrangements. I authorize costs up to \$200 associated with copy and review time to prepare this request. Please let me know if the costs will exceed this amount.

Sincerely,

A handwritten signature in cursive script that reads "Gina Ecolino".

Gina M. Ecolino
Paralegal